

1 BUCHALTER, NEMER, FIELDS & YOUNGER  
MICHAEL L. WACHTELL (SBN: 47218)  
2 A Professional Corporation  
601 South Figueroa Street, Suite 2400  
3 Los Angeles, CA 90017-5704  
Telephone: (213) 891-0700 / Facsimile: (213) 896-0400

4 BUCHALTER, NEMER, FIELDS & YOUNGER  
5 RICHARD C. DARWIN (SBN: 161245)  
A Professional Corporation  
6 333 Market Street, 25th Floor  
San Francisco, CA 94105-2130  
7 Telephone: (415) 227-0900 / Facsimile: (415) 227-0770

8 Attorneys for Defendant  
HOME DEPOT, TREND LIGHTING CORP., and  
9 HAMPTON BAY FAN & LIGHTING COMPANY

10  
11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13  
14 SEED LIGHTING DESIGN CO., LTD.,

15 Plaintiff,

16 vs.

17 HOME DEPOT, a Delaware Corporation,  
TREND LIGHTING CORP., a California  
18 corporation, and HAMPTON BAY FAN &  
LIGHTING COMPANY,

19 Defendants.  
20

Case No. C04 02291 SBA

**STIPULATION AND ORDER TO  
CONTINUE DISCOVERY CUT-OFF**

21  
22 WHEREAS, the original discovery cut-off in this case was April 15, 2005;

23 WHEREAS, on April 11, 2005, this Court issued an order extending the date for the  
24 parties to complete previously noticed depositions until May 16, 2005 (a copy of which is  
25 attached hereto as Exhibit A);

26 WHEREAS, this Court's April 11 order also denied the plaintiff's request to take  
27 additional depositions after the original April 15 discovery cut-off;

1 WHEREAS, due to the conflicting schedules of the witnesses and their lawyers, the  
2 parties have been unable to schedule and complete those depositions that were timely noticed  
3 prior to the original April 15 discovery cut-off;

4 WHEREAS, there is no trial date currently set in this case;

5 NOW, THEREFORE, the parties hereby agree and stipulate to continue the fact discovery  
6 cut-off to June 17, 2005, for the sole purpose of completing those depositions that were timely  
7 noticed prior to the original April 15 discovery cut-off, and for no other purpose. The parties  
8 further agree and stipulate that neither party shall serve new deposition notices or written  
9 discovery requests of any kind during the newly extended period, consistent with this Court's  
10 April 11 order, and that this stipulation shall not alter or otherwise continue any other previously  
11 set hearings or deadlines.

12 DATED: May 12, 2005

13 BUCHALTER, NEMER, FIELDS & YOUNGER  
A Professional Corporation

14 By: 

15 Richard C. Darwin

16 Attorneys for Defendant

17 HOME DEPOT, TREND LIGHTING CORP.,  
and HAMPTON BAY FAN & LIGHTING  
COMPANY

18 DATED: May 12, 2005

19 ROPERS, MAJESKI, KOHN & BENTLEY

20 By: 

21 Lael D. Beloate

22 Attorneys for Plaintiff

23 SEED LIGHTING DESIGN CO., LTD

24 IT IS SO ORDERED.

25 DATED: May 18, 2005

26 /s/ Sandra Brown Armstrong

27 JUDGE OF THE UNITED STATES  
DISTRICT COURT